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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application:

Examiner: Gwen G. Phanijphand

Art Unit: 3731

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

16235 U.S. PTO

10/631141

07/31/03

TRANSMITTAL FOR CONTINUATION PATENT APPLICATION

Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/990,033, filed on November 21, 2001, of T. Wade Fallin, Daniel E. Gerbec, and Gordon Baker for SUTURE ANCHOR, (hereinafter "the Parent Application").

A. Enclosed Application Elements and Accompanying Parts

- X A specification, claims, abstract, and cover page in total comprising thirty-one (31) pages.
- X Twenty-nine (29) sheets of drawings.
- X A copy of the Combined Declaration and Power of Attorney as originally filed in the Parent Application and currently in effect.

\_\_\_ Entitlement to small entity status under 37 C.F.R. §§ 1.9 and 1.27.

\_\_\_ A Declaration Claiming Small Entity Status is enclosed.

- ☐ A Declaration Claiming Small Entity Status was filed in the Parent Application and such status is still proper and desired.
- ☐ The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27
- ☒ A Certificate of Mailing by "Express Mail" certifying a filing date for the enclosed application by use of Express Mail Label No. EV 319 223 365 US.
- ☐ A Preliminary Amendment.
- ☐ An Associate Power of Attorney.

B. Instructions and Averments

- ☒ Priority to United States Patent Application Serial No. 09/990,033 filed on November 21, 2001 is claimed under 35 U.S.C. § 120.
- ☐ Priority to \_\_\_\_\_ (country) Application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ is claimed under 35 U.S.C. § 119.
- ☐ A certified copy of the above priority application is filed in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- ☒ The Parent Application is assigned of record to Stryker Endoscopy. A copy of the assignment which has been submitted for recordation is enclosed.

C. Payments

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$375		\$750
TOT. CLAIMS	16-20=	0	X 9=		X 18=	0
IND. CLAIMS	3 - 3=	0	X 42		X 84=	0
MULTIPLE DEPENDENT CLAIM			+140=		+280=	
			<b>TOTAL</b>		<b>TOTAL</b>	750

- ☒ Form PTO-2038 submitting Credit Card Payment in the amount of \$750.00 covering the filing fee is enclosed.

Please debit Deposit Account No. 23-3178 in the amount of \$        for the government filing fee.

  X   The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

  X   Any additional filing fees required under 37 C.F.R. § 1.16.

  X   Any patent application processing fees under 37 C.F.R. § 1.17.

  X   The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

  X   Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

  X   Any patent application processing fees under 37 C.F.R. § 1.17.

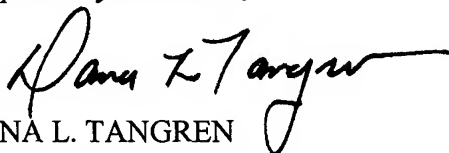
       The issue fee set forth in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).

  X   A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 31<sup>st</sup> day of July 2003.

Respectfully submitted,



DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246



**022913**

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

"Express Mail" Mailing Label No.: EV 319 223 365 US

Date of Deposit:

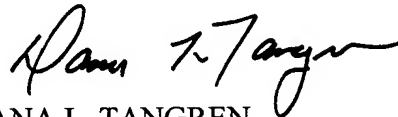
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

- Patent Application in the names of T. Wade Fallin, Daniel E. Gerbec, and Gordon Baker for SUTURE ANCHOR (31 pages)
- Drawings (29 sheets)
- Copy of Combined Declaration and Power of Attorney and Petition (5 pages)
- Copy of assignment (2 pages)
- Transmittal Letter (3 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$750.00
- Postcard

Dated this 31<sup>st</sup> day of July 2003.

Respectfully submitted,



DANA L. TANGREN  
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